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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/828,841	04/10/2001	Takayuki Sugiura	1466.1036	7530

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 04/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/828,841

Applicant(s)

SUGIURA ET AL.

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9, 11, 15 and 16 is/are allowed.
- 6) ☒ Claim(s) 1, 3-7, 10, 12-13 and 17 is/are rejected.
- 7) ☒ Claim(s) 8 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/28/06 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1, 4-7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan (U.S. patent 6,157,950) in view of Wood et al (U.S. patent 6,453,127)

Regarding claim 1 Krishnan discloses: A print control method for transmitting print data from a client to a print server (note Fig.1 the combinations of server and computers) managing a printer to print by the printer in a network environment, the method comprising: using HTTP as a communication protocol between the client and the print server (note Fig.1 column 4 lines 37-59 where the communication is established between the computers or in this case client with the server through the HTTP protocol) in the client adding a header including information about the printer to be used to the print data so as to transmit the print data in the print server (note Fig.2 column 4 lines 60-67 and column 5 lines 1-24 where the header is included on the print job to specify

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the information of the printer including the address and location of the specific printer on the network also note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72) receiving the print data and transmitting the print data to the printer in accordance with the header of the print data in the printer and printing the print data (note column 10 lines 27-38) However Krishnan does not clearly disclose and in the print server converting a result of the printing or information about the printer into a hypertext and transmitting the result or the Information to the client. On the other hand Wood et al disclose: and in the print server (note Fig.2 item 30 which in this case would be used as also print server the way it stores and routes print job from the client 11 to the printer 15, as most of the print server do this function) converting a result of the printing or information about the printer into a hypertext and transmitting the result or the information to the client (note Fig.2 item 15 the printer where the results of the printing data is and error message is generated and through the Bus 26 is send back to the sever 30 and form then on to the user at workstation 11 through the TCP/IP or HTTP which both are used in this case , "note Wood column 4 lines 45-56" and note Fig.2 item 18 the HTTP connection between the user and server 30, column 6 lines 55-65). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Krishnan's invention according to the teaching of Wood et al, Where Wood et al in the same filed of endeavor teach the way the result of the printing information is transmitted back through the server and HTTP protocols to the client for the purpose of notifying the client as the status of the job and printer.

Regarding claim 4 Wood et al disclose: The print control method according to claim 1, Further comprising monitoring a state of the printer and generating a hypertext describing the state of the printer in the print server (note Fig.2 item 15 the printer where the results of the printing data is and error message is generated and through the Bus 26 is send back to the sever 30 and form then on to the user at workstation 11 through the TCP/IP or HTTP which both are used in this case, "note Wood column 4 lines 45-56" and note Fig.2 item 18 the HTTP connection between the user and server 30, column 6 lines 55-65).

Regarding claim 5 Wood et al disclose: The print control method according to claim 1, further comprising: managing printer information such as an address, a type or a protocol of the printer, or a name of the printer; memorizing the printer information for each printer', and generating a hypertext describing the printer information by the print server (note column 5 lines 54-67 and column 6 lines 1-34)

Regarding claim 6 Wood et al disclose: The print control method according to claim 1, further comprising: memorizing the printer information in the printer and acquiring the printer information using SNMP as a communication protocol so as to monitor the state of the printer in the print Server (note column 6 lines 40-65).

Regarding claim 13 Wood et al disclose: The print control method according to claim 1, wherein the adding of the header comprises adding a header including information about a printer location the method further comprising: generating information about the communication protocol in the print server (note column 4 lines 34-52).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miura et al (U.S. patent 6,862,103) in view of Kirshnan (U.S. patent 6,175,950)

Regarding claim 7 Miura et al disclose: A print server (note Fig.1 item 106) for managing a printer in a network environment (note Fig.1 the server 106, client 101 and the network 105) the printer server comprising: a HTTP receiving unit that receives print data using HTTP as a communication protocol (note Fig.1 column 10 lines 23-29 where HTTP is used for transmitting data between the server and client) and a PDL converting unit that judges whether the print data is an appropriate PDL file for printing in the printer, and converts the print data into the appropriate PDL file corresponding to the printer when the print data is not the appropriate PDL file for printing in the printer (note Abstract, also note column 13 lines 15-27 where the data is converted to the PDL data which would be acceptable to the receiving printer). However Miura et al does not clearly disclose: a print data transmitting unit that transmits the print data to a printer as an output target in accordance with a HTTP header of the print data. On the other hand Krishnan discloses: a print data transmitting unit that transmits the print data to a printer as an output target in accordance with a HTTP header of the print data (note Fig.2

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column 4 lines 60-67 and column 5 lines 1-24 where the header is included on the print job to specify the information of the printer including the address and location of the specific printer on the network also note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72).

Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Miura et al's invention according to the teaching of Krishnan, where Krishnan teaches the way the communication data would be manipulated and formatted to be converted to the PDL data, which would be compatible, by the receiving printer.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnan (U.S. patent 6,157,950) In view of Wood et al (U.S. patent 6,453,127) and further in view of Slick et al (U.S. patent 7,003,667)

Regarding claim 3 neither Wood et al nor Krishnan disclose: The print control method according to claim 1, wherein the header of the print data is removed by the print server before transmitting the print data to the printer. On the other hand Slick et al disclose: print control method according to claim 1, wherein the header of the print data is

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removed by the print server before transmitting the print data to the printer (note column 15 lines 46-50 where it is decided that the header is not to be sent, the header would be extracted). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Wood et al' and Krishnan's invention according to the teaching of Slick et al, where Slick et al teach the way print data and header would be altered as to send the print job after extracting the header.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 10 and 12 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Krishnan (U.S. patent 6,157,950)

Regarding claim 10 Krishnan discloses: A recording medium that can be read by a computer having a WWW server function (note column 9 lines 37-42) the recording medium storing a program comprising: using HTTP as a communication protocol (note column 4 lines 49-58 where the Http is used as the base for transmitting data over the internet) so as to receive print data to be printed from a client (note Fig.6, column 10 lines 27-29 where the print job is transmitted from the client or computer) adding a header to the print data including information about a printer designated by the client

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(note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72) and transmitting the print data to the printer (note column 6 lines 28-38).

Regarding claim 12 Krishnan discloses: A print control method comprising: receiving print data using HTTP (note Fig.6, column 10 lines 27-29 where the print job is transmitted from the client or computer) and adding a header including information about a printer to the received print data (note Fig.2 column 4 lines 60-67 and column 5 lines 1-24 where the header is included on the print job to specify the information of the printer including the address and location of the specific printer on the network also note column Fig.6, column 10 lines 27-38 and specifically lines 33-36 where the packet is added to the print job to include designated information on the designated printer like the IP address of the printer 72).

Regarding claim 17 Krishnan discloses: The print control method according to claim 12, further comprising: transmitting the print data and the header simultaneously from the client to a sever (note column 10 lines 27-38).

Allowable Subject Matter

8. Claims 9, 11, 15-16 are allowed.
9. Claim 8 and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (571) 272-7462.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (571) 272-7471.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(571) 273-8300, (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Knox building on 501 Dulany Street, Alexandria, VA.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
April 12, 2006


MARK WALLERSON
PRIMARY EXAMINER